

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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CARLOS RAMONE SARGENT,

Civil No. 05-2646 (RHK/JSM)

Petitioner,

v.

**ORDER**

STATE OF MINNESOTA,

Respondent.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated November 21, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

**IT IS HEREBY ORDERED:**

1. The Report and Recommendation (Doc. No. 4) is **ADOPTED**;
  2. Petitioner's application for leave to proceed in forma pauperis (Doc. No. 3) is **DENIED**;
  3. Petitioner's Application for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**;
- and
4. This action is **DISMISSED WITH PREJUDICE**.

Dated: December 20, 2005

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge